

REMARKS

Claims 1-9, and 10 and 11 (renumbered claims 29 and 30 by the Examiner) are pending in the instant application. Claim 1 has been amended to claim more fully the instant invention. Support for the amended claim can be found in the specification at least, for example, at page 2, lines 15-36; page 4, lines 9-34; page 7, lines 10-13; and in working Examples 5 and 6. *No new matter has been added to the application.*

The claim amendments made herein are solely for the purpose of expediting prosecution of the present application and should in no way be construed as acquiescence to any of the Examiner's rejections in this or in any former Office Action issued in this application. Applicants reserve the right to pursue the subject matter of claims as originally filed, or similar claims in this or one or more applications.

Claim Rejections

As a preliminary matter, Applicants gratefully acknowledge that the Examiner, in view of Applicants' previous amendments and remarks, has withdrawn all rejections of the claims under 35 U.S.C. §103.

Claim Rejections Under 35 U.S.C. §112, First Paragraph***Rejection of Claims 1-9 and 29-30 Under 35 U.S.C. §112, First Paragraph, for Lack of Enablement***

Claims 1-9 and 29-30 are rejected under 35 U.S.C. §112, first paragraph because, according to the Examiner, the claims are "based on a disclosure which is not enabling." In particular, the Examiner notes that "the claimed cell must be capable of coupling to (compatible with) the mammalian G α subunit employed...[and if] one simply chooses a mammalian G protein-coupled receptor and a mammalian G α subunit at random, the claimed yeast cell will most likely not function as disclosed." The Examiner notes that while the claims recite that "the first and second heterologous DNA sequences ...operatively associate" the "critical relationship of the instant application is that the 'heterologous G protein coupled receptor' and the 'heterologous G protein α subunit' 'operatively associate' (page 3, Paper No. 13).

Accordingly, Applicants have amended claim 1 (from which all the remaining rejected claims depend) to specify that the receptor and G protein of the claimed cell *are* capable of coupling, i.e., *are* compatible, by reciting in the claim that the receptor and G protein can "operatively associate." Applicants note that the ability of the heterologous receptor and heterologous G protein to operatively associate in the claimed yeast cell is discussed in detail in the specification at, for example, page 4, lines 20-34. Notably, Applicants demonstrate in

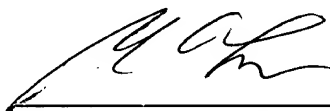
working Examples 5 and 6, the ability of a heterologous receptor and heterologous G protein to operatively associate, e.g., produce an intracellular signal in a transformed yeast cell (see, e.g., pages 16-19). Accordingly, the skilled artisan, using Applicants' disclosure, would readily be able to make and use a transformed yeast cell that *would function* as claimed and disclosed.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1-9 and 29-30 under 35 U.S.C. §112, first paragraph.

CONCLUSION

In view of the foregoing, entry of the amendments and remarks herein, reconsideration and withdrawal of all rejections, and allowance of the instant application with all pending claims are respectfully solicited. If a telephone conversation with Applicants' attorney would help expedite the prosecution of the above-identified application, the Examiner is urged to call Applicants' attorney at (617) 227-7400.

Respectfully submitted,
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